FOR THE JUNIORS.

MISJOINDER OF PARTIES.—By an Act of the General Assembly of Virginia, approved February 27, 1894, and taking effect "from its passage," it is enacted, "That whenever it shall appear in any *action at law* or *suit in equity, by the pleadings or otherwise*, that there has been a *misjoinder* of parties, *plaintiff or defendant*, the court may order the action or suit to abate as to any party improperly joined, and to proceed by or against the others as if such misjoinder had not been made; and the court may make such provision as to costs and continuances as may be just." Acts 1893-'94, p. 489, chap. 421.

This is a wise reform, and comes none too soon.

DEPOSITIONS IN THE FEDERAL COURTS.—Attention is called to the Act of Congress, approved March 9, 1892, by which it is enacted, "That *in addition* to the mode of taking the depositions of witnesses in causes pending in the district and circuit courts of the United States, it shall be lawful to take the depositions or testimony of witnesses *in the mode prescribed by the laws of the State in which the courts are held*." 27 Stat. L., 7; Supplement to the Rev. Stat. of U. S., Vol. II, Nos. 1 and 2, p. 4.

CORPORATIONS—*Answer in Chancery*—The unsworn answer of a corporation, under its corporate seal, and responsive to the bill, is not evidence for the corporation, but is mere pleading. *B. & O. R. R. Co. v. Wheeling*, 13 Gratt. 62; *Union Bank v. Geary*, 5 Pet. 99; *Lovell v. S. S. Mill. Ass'n*, 6 Paige, 54; 1 Encyc. Plead. and Prac. 956.

PROCESS—*Amendment of return—Controverting the return*—Every court has the power, which it will exercise whenever justice requires it, to permit the officer to amend his return according to the fact, and thus to validate proceedings otherwise invalid. A return may be amended years after it was made, and after the officer who made it has gone out of office, and though the result be to give effect to an otherwise void judgment. Such amendment is allowed with more hesitation where the effect will be to invalidate the proceedings: *Goolsby v. St. John*, 25 Gratt. 146; *Stotz v. Collins*, 83 Va. 423; *Shenandoah Valley R. Co. v. Ashby*, 86 Va. 232; *Commercial etc. Co. v. Everhart*, 88 Va. 952; note to *Malone v. Samuels*, (Ky.) 13 Am. Dec. 173-181, containing a full review of the authorities.

As to controverting the return of the officer, see *Fowler v. Mosher*, 85 Va. 421; *Great West. etc. Co. v. Woodmas etc. Co.*, 12 Col. 46—s. c. 13 Am. St. Rep. 205 and note; *Earle v. McVeigh*, 91 U. S. 503; note to *Taylor v. Lewis* (2 J. J. Marsh. 400) 19 Am. Dec. 137-139. From these authorities it seems (contrary to what was once held—see *Walker v. Robbins*, 14 How. U. S. 584—) that the return of the officer is not conclusive on the defendant, but is only *prima facie* true, and may be shown to be in fact untrue.